



An
Bord
Pleanála

Board Order
ABP-310064-21

Planning and Development Acts 2000 to 2020

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1095/21

Appeal by Christina Lonergan and Jonathan Goff care of Fergus Flanagan Architects of Crescent Quay, Wexford against the decision made on the 31st day of March, 2021 by Dublin City Council in relation to an application for permission for changes to house design to that previously granted (Reference Number: WEB1334/20), consisting of changes to two number existing external door to external windows to lower ground floor plan at the north west (front) elevation and proposed with new vehicular entrance and off-street parking to front with all associated site works at 71 Haddington Road, Dublin in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions permission for changes to house design to that previously granted (Reference Number: WEB1334/20) for changes to two number existing external door to external windows to lower ground floor plan at the north west (front) elevation, and to refuse permission for proposal for a new vehicular entrance and off-street parking to front with all associated site works).

Decision

GRANT permission for changes to house design to that previously granted (Reference Number: WEB1334/20) for changes to two number existing external door to external windows to lower ground floor plan at the north west (front) elevation in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below.

REFUSE permission for a new vehicular entrance and off-street parking to front with all associated site works based on the reasons and considerations marked (2) under.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations (1)

Having regard to the nature and scale of the proposals to replace two doors with two windows on the front elevation to the house, and to the existing pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not be out of character with development in the area, would be complementary to the host house, would not seriously injure the visual amenities of the area or of property in the vicinity and would be in accordance with the provisions of the Dublin City Development Plan 2016-2022. This element of the proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. This element of the proposed development shall be carried out and completed, in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The construction of a vehicular entrance and the provision of two private off-street car parking spaces to the front garden area, including dishing of the public footpath and kerb, shall be omitted from the proposed development.

Reason: In the interest of clarity, and for Reasons and Considerations (2) as set out below.

3. Site development and building works shall be carried out between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

4. The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining streets are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developer's expense.

Reason: To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interest of orderly development.

Reasons and Considerations (2)

The proposed vehicular access and car parking area, by reason of the resultant loss of at least two on-street car parking spaces, in a location where there is high demand for on-street car parking, would be contrary to Policy MT14 of the Dublin City Development Plan 2016-2022, which seeks to minimise the loss of on-street parking as a resource for the city. This element of the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Paul Hyde

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board**



Dated this  day of  2021